

ORIGINAL

EDWARD H. KUBO, JR. #2499
United States Attorney
District of Hawaii

RONALD G. JOHNSON #4532
Chief, Major Crimes Section

WILLIAM L. SHIPLEY
Assistant U.S. Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
Email: William.Shipley@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUL 21 2008
at 1:40 o'clock and 40 min. P.M.
SUE BEITIA, CLERK
edw

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

| | | |
|-------------------------------|---|------------------------------|
| UNITED STATES OF AMERICA, |) | CR. NO. 07-00151 JMS |
| |) | |
| Plaintiff, |) | STIPULATED AMENDMENT TO |
| |) | MEMORANDUM OF PLEA AGREEMENT |
| vs. |) | |
| |) | |
| NORMAN GOLDSTEIN, M.D., INC., |) | |
| a Hawaii Corporation, |) | |
| |) | Date: July 21, 2008 |
| Defendant. |) | Time: 1:30 p.m. |
| |) | Judge: J. Michael Seabright |

STIPULATED AMENDMENT TO MEMORANDUM OF PLEA AGREEMENT

In the interests of justice, Plaintiff UNITED STATES OF AMERICA, and Defendant NORMAN GOLDSTEIN, M.D., INC., hereby stipulate and agree to amend (nunc pro tunc) the Memorandum of Plea Agreement executed by the parties and filed in this case on May 8, 2007. Paragraph 10 of the Memorandum of Plea Agreement stated:

"This plea agreement is made pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure,

which authorizes the parties to agree upon a specific sentence as an appropriate disposition of the case. The parties agree that the sentence imposed shall be as follows: a. Five (5) years of probation on the organization; b. A fine of \$356,363.20, to be paid at the time of sentencing; c. A mandatory special assessment of \$100" [sic - should have been \$400].

The parties stipulate and agree that the foregoing Paragraph 10 of the Memorandum of Plea Agreement is hereby amended (nunc pro tunc) to state:

"This plea agreement is made pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure, which authorizes the parties to agree upon a specific sentence as an appropriate disposition of the case. The parties agree that the sentence imposed by the Court shall be as follows: a. Five (5) years of probation on the organization; b. A fine of \$316,642.20, to be paid at the time of sentencing; c. A mandatory Special Assessment of \$400; d. Restitution as ordered by the Probation Officer in the amount of \$27,720.31, to be paid to patients of NORMAN GOLDSTEIN, M.D., INC., as directed by the Probation Officer; e. Restitution in the amount of \$12,000 to be paid to HMSA at the time of sentencing for its administrative costs incurred in assisting to identify patients to whom restitution is owed; and f. To the extent HMSA cannot identify the last know address of any plan participant to whom restitution is due, the Defendant agrees to make his best good faith efforts to do so and provide any such information to the United States Attorney's Office, the Probation Officer, and the Court.

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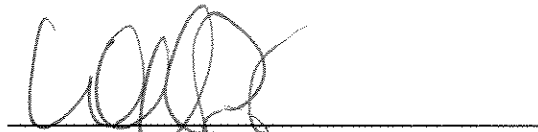
DATED: Honolulu, Hawaii, July 21, 2008.

AGREED:

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

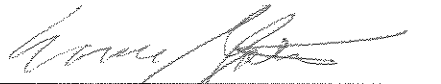


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Assistant U.S. Attorney

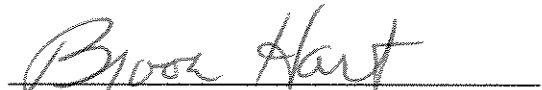


WILLIAM L. SHIPLEY
Assistant U.S. Attorney

NORMAN GOLDSTEIN, M.D., INC.,
a Hawaii Corporation
Defendant

By 

Norman Goldstein, M.D.,
President



BROOK HART
Attorney and Authorized
Representative for Defendant